

REMARKS

In this Amendment, Applicant amends claims 1, 6, 14, 22, 27, 35, 37, 39, 40, 41 and 42.

Claims 1-42 are pending in this application.

Claim rejections under 35 U.S.C. § 112, first paragraph

Claims 1-42 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Applicant traverses the rejection as follows.

In this Amendment, Applicant amends independent claims 1 to recite “a monitor unit for monitoring a communication state of a group of individual communication between the mobile stations and the base station of said radio communication.” This amendment is at least described in FIG. 5 and the corresponding description on page 13, last paragraph to page 14, first full paragraph of the Applicant’s specification, in such a way as to enable one skilled in the art to which it pertains, to make and/or use the invention. For instance, the cited portion of the Applicant’s specification describes a communication state monitor 41 that receives the SNR signals supplied from the SNR bit determining circuits 13-1 to 13-N and decides a communication state based on the recited SNR signals supplied from the SNR bit determining circuits 13-1 to 14-N. According to this non-limiting exemplary embodiment, the communication state monitor 41 monitors a group of individual communication between mobile stations and the base station (i.e., received from SNR bit determining circuits 13-1 to 13N). As such, the claimed feature of “a monitor unit for monitoring a communication state of a group of individual communication between the mobile stations and the base station of said radio communication” does comply with the enablement requirement.

Applicant also amends independent claims 6, 14, 22, 27, 35, 37, 39, 40, 41 and 42 similar to claim 1. In view of the above, Applicant respectfully requests the Examiner to withdraw the 35 U.S.C. § 112, first paragraph rejection of claims 1-42.

In addition, Applicant respectfully submits Larijani and Itoh do not teach or suggest “a monitor unit for monitoring a communication state of a group of individual communication between the mobile stations and the base station of said radio communication.” Accordingly, claims 1, 6, 14, 22, 27, 35, 37, 39, 40, 41 and 42 and dependent claims 2-5, 7-13, 15-21, 23-34 and 36 that depend from them should be allowed.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,
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